

PATENT
Docket 13DV-13913

REMARKS

Reconsideration of the above identified application is respectfully requested.

Applicants traverse the restriction requirement; and provisionally elect group I, and claims 1-10 and 20 presently found therein.

The examiner's contention that the "process as claimed can be practiced by another materially different apparatus, such as one that uses clamps to mount the blisk," fails to meet the standard provided in MPEP 806.05(e).

The use of clamps is not a difference at all, let alone meets the materially different apparatus standard. The mounting of the blisk in method claim 1 inherently includes clamping therein as illustrated in figure 2, for example, and as well known to those skilled in the art.

Clamping is fundamental in machining processes, and is a trivial example having no bearing on the materiality standard of the MPEP.

The examiner has overlooked the significant features of the method and apparatus claims, including for example the one-to-one correspondence of the means-for elements of apparatus claim 11 and the corresponding method elements of method claim 1.

In claim 1, the blisk is mounted in the machine; in claim 11, the spindle is used for such mounting. However, in both claims 1 and 11, the blisk is necessarily clamped in the machine which is notoriously well known in the relevant machining art.

The examiner's mere examiner contention of "the use of clamps to mount the disk" is a trivial difference without distinction, and clearly does not meet the material standard of the MPEP.

It necessarily follows that the examiner's contention would then provide a patentable basis to allow the withdrawn claims in a division application, merely for the clamping

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feature. If this is not the case, the examiner should so state on the record.

It is noted that the method claims and apparatus claims are written under the "linking claim" requirement of the MPEP, and both sets of claims should now be examined together for their common subject matter.

Nevertheless, the examiner's suggestion to amend the claims to better meet the MPEP linking requirement is appreciated, and has been followed.

More specifically, apparatus claims 11 and 18 have been amended to introduce the "means for mounting the blisk" as suggested by the examiner in para. 6. And, claim 19 has been amended to correct an editorial error.

Accordingly, withdrawal of the restriction requirement is warranted and is requested.

Respectfully submitted,



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